UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

NATIONAL CREDIT UNION
ADMINISTRATION BOARD,
as Receiver/Liquidating Agent of
St. Francis Campus Credit Union,

Plaintiff,

v.

: Case No.: 0:16-cv-00139 (DWF/LIB) : JURY TRIAL DEMANDED

CUMIS INSURANCE SOCIETY, INC.,

Defendant.

DECLARATION OF NICHOLAS T. MORAITES IN SUPPORT OF DEFENDANT'S MOTION TO COMPEL

Pursuant 28 U.S.C. § 1746, I, Nicholas T. Moraites, hereby declare as follows:

- 1. I am over 21 years of age.
- 2. I have personal knowledge of and am competent to testify to the facts set forth herein.
- 3. I am an member of the law firm of Eckert Seamans Cherin & Mellott, LLC, and I am licensed to practice law in the State of Virginia and the District of Columbia. I have been admitted to the United States District Court for the District of Minnesota *pro hac vice* in the above-captioned matter. I am counsel of record for defendant, CUMIS Insurance Society, Inc ("CUMIS").

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4. Attached hereto as Exhibit A is a true and correct copy of excerpts of

plaintiff's second amended privilege log.

5. Attached hereto as Exhibit B is a true and correct copy of plaintiff's

responses to CUMIS's first set of document requests.

6. I declare upon penalty of perjury that the foregoing is true and correct.

Dated: Washington, DC August 10, 2017

/Nicholas T. Moraites/